

TEXAS BOARD OF CHIROPRACTIC EXAMINERS

William P. Hobby Building
333 Guadalupe, Suite 3-825
Austin, Texas 78701

FIRST AMENDED ANNOUNCEMENT OF BOARD MEETING

Date: **Thursday, May 21, 2020**

Time: **9:00 a.m. (Central Time) until final adjournment**

NOTICE: This meeting will be conducted via GoTo Webinar. If you would like to address the Board or attend the meeting, please register for Board Meeting on or before May 21, 2020 9:00 AM CDT at:

<https://attendee.gotowebinar.com/register/6290761627229411342>

After registering, you will receive a confirmation email containing information about joining the webinar.

If you do not wish to attend the meeting or address the Board, you may view a livestream of the Board Meeting on YouTube at the following address: <https://youtu.be/PwSu-0ikcgg>

A recording of the meeting will be available on the Board's website shortly after the meeting's conclusion.

Note: There is a change to Agenda Item #16 to indicate that it is a proposed rulemaking action, not the consideration of adopting a rule.

BOARD MEETING AGENDA

Pursuant to Texas Occupations Code §201.058 and through the Governor's suspension of certain provisions of the Open Meetings Act (Texas Government Code Chapter 551) under his authority granted under the Texas Disaster Act of 1975 (Texas Government Code Chapter 418), the Texas Board of Chiropractic Examiners (Board) will meet in open session via video-conference and, after determining the presence of a quorum, deliberate and possibly take formal action, including emergency action, on any of the following agenda items.

Proceedings of the Board shall be conducted under modified Robert's Rules of Order. The President of the Board reserves the right to alter the order of agenda items in his discretion as circumstances warrant. Agenda items that have been adopted, delayed, or tabled for another meeting may be considered or reconsidered at the same meeting.

The Board may, when required, meet and discuss in closed executive session and take action in a subsequent open meeting on any item on the agenda to the extent the Board is authorized to do so pursuant to Texas Government Code §§551.071 (Consultation with Attorney), 551.073 (Deliberation Regarding Prospective Gift), 551.074 (Personnel Matters), or 551.076 (Deliberation Regarding Security Devices or Security Audits).

For questions regarding specific items on this agenda, please contact Christopher Burnett, General Counsel, at 512-305-6700 or christopher@tbce.texas.gov.

Opening Matters:

1. Call to order and roll call.
2. Discussion and action to approve the minutes for the Board meeting held on:

February 20, 2020

Board and Staff Reports:

3. President's report and comments.
4. Executive Director's report.
5. Discussion and possible action on the Texas Board of Chiropractic Examiners Strategic Plan 2021-2025.

Public Comments:

6. Public Comment: the Board will entertain general comments from the public on matters not specifically announced elsewhere in this agenda. The Board President may, in his discretion, limit the length of public comments in the interest of time. Individuals who wish to register a comment concerning an agenda item with the Board but not speak may do so by emailing their comments to christopher@tbce.texas.gov. Please include the specific agenda item in any email.

Licensing Matters:

7. Discussion and possible action on requests to sit for the Texas Jurisprudence Examination pursuant to Texas Occupations Code §201.304(a)(2):

- a. Connie Seo
- b. David Yi
- c. Stacy Godsey

Enforcement Matters:

8. Discussion and possible action on required suspension or revocation of licenses for certain offenses pursuant to Texas Occupations Code §201.5065:

- a. Richard James Stephenson, Lic. No. 6119

Rules for Adoption:

9. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.2 (License Application)

10. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.3 (Qualifications)

11. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.5 (Approved Schools and Colleges)

12. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.6 (Exam Requirements), change to "National Board Exam Requirements"

13. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.7 (Jurisprudence Examination), change to "Jurisprudence Exam Requirements"

14. Discussion and possible action on adopting the repeal of certain rules relating to fees, license applications, and renewals:

22 TAC §72.9 (Reexaminations)

Note: This rulemaking should have been placed in the "Proposed" section.

15. Discussion and possible action on proposing the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.11 (Temporary Faculty License)

16. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.15 (Temporary License)

17. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.16 (Inactive Status)

18. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.17 (Fee Exemption for Charity Care), change to "Retired Chiropractor"

19. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.20 (Out-of-State Applicants)

20. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.21 (Requirements for Military Spouses)

21. Discussion and possible action on adopting the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.22 (Requirements for Military Members and Veterans)

22. Discussion and possible action on adopting the repeal and replacement of certain rules relating to continuing education:

22 TAC §73.1 (Continuing Education), change to "Continuing Education Requirements for Licensees"

23. Discussion and possible action on adopting the repeal and replacement of certain rules relating to continuing education:

22 TAC §73.2 (Failure to Meet Continuing Education Requirements)

24. Discussion and possible action on adopting the repeal and replacement of certain rules relating to continuing education:

22 TAC §73.3 (Approval for Continuing Education Courses), change to "Requirements for Sponsors of Continuing Education Courses"

25. Discussion and possible action on adopting a new rule relating to continuing education:

22 TAC §73.4 (Requirements for Continuing Education Instructors)

26. Discussion and possible action on adopting a new rule relating to continuing education:
22 TAC §73.5 (Requirements for Claiming Continuing Education as a National Board Examiner)
27. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.2 (Enforcement Actions)
28. Discussion and possible action on adopting the repeal of certain rules relating to enforcement actions and hearings:
22 TAC §81.4 (Administrative Hearings)
29. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.5 (Appearance)
30. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.6 (Default Judgment)
31. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.7 (Depositions, Subpoenas, and Witness Expenses)
32. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.8 (Hearing Exhibits and Record)
33. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.9 (Proposal for Decision)
34. Discussion and possible action on adopting the repeal and replacement of certain rules relating to enforcement actions and hearings:
22 TAC §81.10 (Final Board Order)
35. Discussion and possible action on readopting certain rules relating to internal Board procedures pursuant to Texas Government Code §2001.039:
22 TAC Chapter 82 (Internal Board Procedures)

Proposed Rules:

36. Discussion and possible action on proposing the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.14 (License Renewal)

37. Discussion and possible action on proposing the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.15 (Temporary License)

38. Discussion and possible action on proposing the repeal and replacement of certain rules relating to fees, license applications, and renewals:

22 TAC §72.18 (Criminal History)

39. Discussion and possible action on proposing the repeal and replacement of certain rules relating to patient records and documentation:

22 TAC §76.1 (Required Contents of Patient Records)

40. Discussion and possible action on proposing the repeal and replacement of certain rules relating to patient records and documentation:

22 TAC §76.2 (Requests for Patient Records)

41. Discussion and possible action on proposing a new rule relating to patient records and documentation:

22 TAC §76.3 (Fees for Providing Patient Records)

42. Discussion and possible action on proposing a new rule relating to patient records and documentation:

22 TAC §76.4 (Duty to Maintain and Store Patient Records)

43. Discussion and possible action on proposing the amendment of certain rules relating to scope of practice:

22 TAC §78.14 (Acupuncture)

44. Discussion and possible action on proposing the repeal and replacement of certain rules relating to unprofessional conduct:

22 TAC §79.1 (Unprofessional Conduct), change to "Inappropriate Sexual Conduct"

45. Discussion and possible action on proposing a new rule relating to unprofessional conduct:

22 TAC §79.3 (Financial Misconduct)

46. Discussion and possible action on proposing the repeal and replacement of certain rules relating to complaints:

22 TAC §80.2 (Complaint Procedures)

47. Discussion and possible action on proposing the repeal of certain rules relating to complaints:

22 TAC §80.8 (Default on Student Loans)

48. Discussion and possible action on proposing a new rule relating to complaints:

22 TAC §80.11 (Informal Settlement Conferences)

49. Discussion and possible action on proposing the repeal of certain rules relating to internal Board procedures:

22 TAC §82.4 (Private Donors)

Legal Matters:

50. Closed session. The Board will receive will receive legal advice, if required, relating to on-going litigation from the General Counsel pursuant to Texas Government Code §551.071.

51. The Board, if necessary, will discuss and take action on on-going litigation as discussed in closed session under agenda item #50.

Concluding Matters:

52. Requests from Board members for future agenda items.

53. Adjournment.